

**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1633**

Attorney Docket No.: 5470-368

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ting et al.
Serial No.: 10/511,989
Filed: May 25, 2005
For: *CATERPILLER GENE FAMILY*

Confirmation No.: 4540
Group Art Unit: 1633
Examiner: Michael D. Burkhardt

Date: July 15, 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

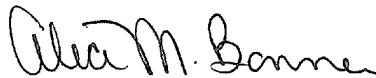
REQUEST FOR WITHDRAWAL OF NOTICE OF APPEAL

Sir:

Applicants respectfully request that the Notice of Appeal filed June 27, 2008 be withdrawn, and that the application proceed based on the Request for Continued Examination filed July 15, 2008.

It is not believed that an extension of time is required. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned under 37 C.F.R. §1.136(a). Any additional fees believed to be due in connection with this paper may be charged to our Deposit Account No. 50-0220.

Respectfully submitted,

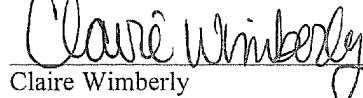


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CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on July 15, 2008.


Claire Wimberly